

REMARKS

In the Final Office Action, the Examiner rejected claims 1-70. While Applicants do not necessarily agree with the grounds of rejection provided in the Office Action, by the present Response, Applicants amend claims 1, 19, 28, 29, 31, 38, 49, 63, and 67 to further clarify the claimed subject matter and cancel claim 64. Upon entry of the amendments, claims 1-63 and 65-70 will remain pending in the present patent application. Applicants respectfully request reconsideration of the above-referenced application in view of the foregoing amendments and the following remarks.

Rejections under 35 U.S.C. § 103

In the Office Action, the Examiner rejected claims 1-15, 17-34, 36-46, 48-53, and 62-70 under 35 U.S.C. § 103(a) as unpatentable over Andrew (U.S. Patent No. 6,763,139) in view of Taubman (U.S. Patent No. 6,778,709). The Examiner also rejected dependent claims 54-61 under 35 U.S.C. § 103(a) as unpatentable over Andrew and Taubman in view of Cooke, Jr. et al. (U.S. Patent No. 6,574,629). Additionally, the Examiner rejected dependent claims 16, 35, and 47 under 35 U.S.C. § 103(a) as unpatentable over Andrew and Taubman in view of Sodagar et al. (U.S. Patent No. 6,157,746). Applicants respectfully traverse these rejections.

Legal Precedent

The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (PTO Bd. App. 1979). Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention absent some teaching or suggestion supporting the combination. *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984). Accordingly, to establish a *prima facie* case, the Examiner must not only show that the combination includes *all* of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found the

claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 U.S.P.Q. 972 (B.P.A.I. 1985). When prior art references require a selected combination to render obvious a subsequent invention, there must be some reason for the combination other than the hindsight gained from the invention itself, i.e., something in the prior art as a whole must suggest the desirability, and thus the obviousness, of making the combination. *Uniroyal Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 5 U.S.P.Q.2d 1434 (Fed. Cir. 1988).

Omitted Features of the Independent Claims

Turning now to the present claims, it appears that the Andrew and Taubman references collectively fail to disclose each element of amended independent claims 1, 19, 31, 38, 49, and 63. For instance, independent claim 1, as amended, recites data storage blocks including address tags that uniquely identify a plurality of spatially-equivalent sub-band blocks, “wherein each respective address tag *is stored within its data storage block to enable individual identification and retrieval of specific data storage blocks* from the plurality of data storage blocks *via the address tags* of the specific data storage blocks” (emphasis added). See, e.g., *id.* at page 40, lines 1-25; FIGS. 21A, 21B, and 26. Independent claim 19, as amended, recites “a plurality of data storage blocks that each include a *respective address tag embedded therein to facilitate identification and retrieval of particular data storage blocks* from the plurality of data storage blocks *via the address tags* of the particular storage blocks” (emphasis added). Further, independent claims 31, 38, 49, and 63 also contain recitations generally directed to addressable data blocks having address tags embedded into the addressable data blocks themselves to facilitate individual identification and retrieval of such blocks. Because it is believed that the Andrew and Taubman references fail to disclose such elements, Applicants respectfully submit that the cited references fail to support a *prima facie* case of obviousness with respect to the present independent claims.

The Andrew reference is generally directed to a technique for encoding and decoding a localized portion of a digital image. Col. 1, lines 7-10. Andrew teaches an encoding process 100 that includes a decomposition step 103 to arrange a bit stream 500 of decomposed data. Col. 4, line 66 – col. 5, line 8; col. 8, lines 29-30; FIG. 1. In the Office Action, the Examiner suggested that the Andrew reference discloses the ordering of data according to tessellation and decomposition indices. *See* Office Action mailed April 19, 2007, pages 3, 6; Andrew, col. 8, lines 7-10. Further, the Examiner argued that “[t]he labels (0,0), (0,1), (1,0), and (1,1) are the address tag that uniquely identifies the plurality of spatially-equivalent sub-band blocks.” Office Action mailed April 19, 2007, page 3 (referring to Andrew, col. 8, lines 7-10). This passage of the Andrew reference, however, merely indicates that sub-band data may be arranged in raster order (by tile position) and by decomposition level. While the Andrew reference may generally teach that sub-band data may be named and ordered according to decomposition level and tile position, the Andrew reference appears to be silent as to storing address tags *within data blocks themselves to facilitate individual identification and retrieval* of specific data storage blocks via the address tags, as generally recited by the present claims.

The Taubman reference is generally directed to data coding and embedded bitstreams. Col. 1, lines 6-8. Among other things, the Taubman reference appears to teach region-of-interest processing, allowing a user to select a region of a map for higher-resolution display of the selected region. Col. 21, line 37 – col. 22, line 15. Like the Andrew reference, however, the Taubman reference is believed to be silent as to the use of address tags within data storage blocks that uniquely identify a set of spatially-equivalent sub-band blocks and facilitate individual identification and retrieval of the set. As a result, Applicants believe that the teachings of the Taubman reference do not obviate the deficiencies of the Andrew reference with respect to the instant claims.

Because the Andrew and Taubman references apparently fail to disclose each and every element, the cited references do not appear to establish a *prima facie* case of obviousness with respect to independent claims 1, 19, 31, 38, 49, and 63, or their respective dependent claims. For at least these reasons, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103 and allowance of claims 1-15, 17-34, 36-46, 48-53, 62, 63, and 65-70.

Deficiencies of the Rejections of Claims 16, 35, 47, and 54-61

Applicants note that each of claims 16, 35, 47, and 54-61 depends from one of independent claims 1, 31, 38, or 49. As discussed above, the Andrew and Taubman references collectively fail to disclose each element of these independent claims. Further, the Cooke, Jr. et al. and Sodagar et al. references do not appear to obviate the deficiencies of the Andrew and Taubman references. As a result, dependent claims 16, 35, 47, and 54-61 are allowable on the basis of their dependency from a respective allowable independent claim, as well as for the subject matter separately recited in these dependent claims. Accordingly, Applicants respectfully request withdrawal of the Examiner's rejections and allowance of claims 16, 35, 47, and 54-61.

Conclusion

In view of the remarks and amendments set forth above, Applicants respectfully request allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date: August 20, 2007

A handwritten signature in black ink, appearing to read "L. Lee Eubanks IV", written over a horizontal line.

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